

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Letters Patent of:  
John C. Harvey *et al.*

Patent No.: 7,836,480

Issued: November 16, 2010

For: SIGNAL PROCESSING APPARATUS AND  
METHODS

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Commissioner for Patents  
Office of Patent Publication  
Attention: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.322**

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted a typographical error that should be corrected.

At claim 10, column 288, line 35, insert --at-- so that line 35 reads "at at least one output device, user specific information to at"

At claim 13, column 289, line 31, insert --at-- so that line 31 reads "including at least three video images to be outputted at at"

At claim 17, column 290, lines 54-55, delete "which is capable of"

At claim 17, column 290, line 58, replace "adjustinq" with --adjusting--

Applicants did not make these errors. Claims 10, 13 and 17 were originally claims 33, 38 and 96. The claims were last amended via an Examiner's Amendment contained in the Notice of Allowance mailed May 14, 2010. A copy of this mailing is attached as Exhibit A. The

Examiner's Amendment was authorized by Applicants on April 27, 2009. No later amendments were submitted by Patentee or issued by the Examiner.

Patent 7,836,480 issued November 16, 2010, failed to reflect the claims as amended by the Examiner in the May 14, 2010 Examiner's Amendment.

In the issued claims 10 and 13, the Office deleted the second "at" from the phrase "at at least one" such that claim 10 reads "...television programming at least one output device..." and claim 13 reads "...to be outputted at least one output device..." However, claims 10 and 13, originally claims 33 and 38, should contain the second "at", such that claim 10 reads "...television programming at at least one output device..." and claim 13 reads "...to be outputted at at least one output device..." This is evident by the May 14, 2010 Examiner's Amendment, where the word "at" was not deleted from the claim 33 and the words "at at least one output device" was inserted into claim 38.

The May 14, 2010 Examiner's Amendment deleted the phrase "which is capable of" that follows "first instruction signal" such that the second "receiving" step reads "receiving at least one first instruction signal for instructing..." This deletion was not reflected in the issued claim 17.

Finally, the May 14, 2010 Examiner's Amendment inserted the phrase, "said procedure including adjusting..." The issued claim 17 contains the insertion but also contains a typographical error in the word "adjusting."

Accordingly, Patentee believes that the aforementioned errors were caused by the Office, and that no fee is due for the Certificate of Correction. However, if any fees are required, the Director is hereby authorized to charge any fees to our Deposit Account No. 50-4494.

Request for Certificate of Correction  
Patent No. 7,836,480  
Attorney Docket No. PMC-003 C245  
Page 3 of 4

Transmitted herewith is a proposed Certificate of Correction effecting such amendment.  
Patentee respectfully solicits the granting of the requested Certificate of Correction.

Dated: December 9, 2010

Respectfully submitted,

By /Thomas J. Scott, Jr./  
Thomas J. Scott, Jr.

Registration No.: 27,836  
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Request for Certificate of Correction  
Patent No. 7,836,480  
Attorney Docket No. PMC-003 C245  
Page 4 of 4

**EXHIBIT A**



# UNITED STATES PATENT AND TRADEMARK OFFICE

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## NOTICE OF ALLOWANCE AND FEE(S) DUE

70813 7590 05/14/2010

GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001

EXAMINER

HUYNH, SON P

ART UNIT

PAPER NUMBER

2424

DATE MAILED: 05/14/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/474,146	06/07/1995	JOHN C. HARVEY	5634.186	2430

TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	08/16/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

70813 7590 05/14/2010

GOODWIN PROCTER LLP  
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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

### Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/474,146	06/07/1995	JOHN C. HARVEY	5634.186	2430

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nonprovisional	NO	\$1510	\$0	\$0	\$1510	08/16/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
HUYNH, SON P	2424	725-135000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/474,146	06/07/1995	JOHN C. HARVEY	5634.186	2430
70813	7590	05/14/2010	EXAMINER	
GOODWIN PROCTER LLP 901 NEW YORK AVENUE, N.W. WASHINGTON, DC 20001			HUYNH, SON P	
			ART UNIT	PAPER NUMBER
			2424	
DATE MAILED: 05/14/2010				

## Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b) (application filed prior to June 8, 1995)

This patent application was filed prior to June 8, 1995, thus no Patent Term Extension or Adjustment applies.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	08/474,146	HARVEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	SON P. HUYNH	2424	

  

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/8/2002.

2. ☒ The allowed claim(s) is/are 3-4,8,21-26,33,38,52,62,67-68,77,96-100,119-131 that have been renumbered as 1-34.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
     (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
         1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
     (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

  
  

**Attachment(s)**

1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>4/27/2010</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input checked="" type="checkbox"/> Other <u>PTO-90C</u> .
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/Son P Huynh/ Primary Examiner, Art Unit 2424	April 27, 2010
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
08474146	6/7/95	HARVEY ET AL.	5634.186

GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001

**EXAMINER**

SON P. HUYNH

ART UNIT	PAPER
2424	20100427

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

It is noted that for each NPL document, listed on the respective PTO-1449 forms filed in the instant application, with no date information a 'no date' annotation has been assigned by the examiner to each as the date information was not readily obtainable.

/Son P Huynh/  
Primary Examiner, Art Unit 2424

### **DETAILED ACTION**

1. A double patenting administrative requirement is not being required by the examiner in the instant application since the examiner has independently conducted a double patenting analysis of the claims in the instant application.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview and/or e-mail communication with Applicant's representative, Carl Benson (Reg. No. 38,378) on April 27, 2010.

The application has been amended as follows:

#### **In the specification:**

Page 430, line 2, phrase ",at page 289, line 35" has been deleted.

Page 433, lines 13-14, phrase "(see the paragraph that begins above at page 291, line 9)" has been deleted.

Page 433, lines 15-16, phrase "(see the paragraph that begins above at page 291, line 9)" has been deleted.

**In the claims:**

1-2. (Cancelled)

3. (Currently Amended) A method of processing signals to automatically control a presentation, said method comprising the steps of:

receiving a television signal including television programming from a remote source and communicating said television signal to a storage device;

receiving an a first instruct signal and a second instruct signal ~~which is effective to instruct a computer at a user station to supplement or complete said television programming at an output device;~~

receiving information from a local input prior to receiving said television signal;

storing said information;

selecting ~~one of~~:

(1) a time at which to communicate a transmission including said television signal and said second instruct signal [;] and

(2) a location to which to communicate ~~said instruct signal~~ transmission based on said information;

communicating said second instruct signal at said selected time [or] to said selected location; and

storing said television signal ~~and~~, said first instruct signal and said second instruct signal at said storage device according to said information; [.]

automatically transmitting said first instruct signal from said storage device to a computer at a remote user station;

automatically transmitting said transmission from said storage device to said computer;

wherein said computer, in response to receiving said first instruct signal from said storage device, automatically generates a plurality of graphic overlays, each of said plurality of graphic overlays containing content related to said television programming and at least one of said plurality of graphic overlays containing user specific information, and said computer, in response to receiving said second instruct signal from said storage device and after at least a portion of said television programming is displayed at an output device, provides said at least one of said plurality of graphic overlays to said output device such that said plurality of graphic overlays are sequentially provided to said output device in a predetermined order and displayed simultaneously on said output device with one of said plurality of graphic overlays over another of said plurality of graphic overlays.

4. (Currently amended) The method of claim 3, wherein said second instruct signal is embedded in said television signal.

5-7. (Canceled)

8. (Currently Amended) A method of generating signals to automatically control a presentation comprising the steps of:

generating a programming signal that includes video at a source;

generating an instruction at said source; ~~said instruction having effect to instruct a user station processor to generate or output information to supplement or complete said video;~~

embedding said instruction in said programming signal; and

communicating said programming signal and said instruction to a storage device;

storing said programming signal including said video and said ~~embedded~~ instruction in said storage device; [.]

automatically transmitting said video and said instruction from said storage device to a remote user station processor.

wherein said remote user station processor, in response to receiving said instruction from said storage device, automatically generates information to supplement or complete said video at an output device, said information for inclusion in a plurality of graphic overlays, each of said plurality of graphic overlays containing content related to said video and at least one of said plurality of graphic overlays containing user specific information, said plurality of graphic overlays for display after said video at said output device by providing each of said plurality of graphic overlays to said output device in a predetermined order and by displaying said plurality of graphic overlays simultaneously with one of said plurality of graphic overlays on top of another of said plurality of graphic overlays.

9-20 (Canceled).

21. (Previously presented) The method of claim 3, wherein said storage device comprises one or more storage locations in a network.

22. (Previously presented) The method of claim 3, wherein said storage device comprises a memory.

23. (Previously presented) The method of claim 22, wherein said memory comprises a tape.

24. (Previously presented) The method of claim 22, wherein said memory comprises a disk.

25. (Currently amended) The method of claim 3 further comprising the step of communicating ~~one of~~ said television signal and said second instruct signal from a first part of said storage device to a second part of said storage device.

26. (Currently amended) The method of claim 25, further comprising the step of

Art Unit: 2424

reorganizing the storage of said television signal and said second instruct signal at said storage device.

27 - 32. (Cancelled)

33. (Currently Amended) A method of processing signals using a computer at a user station to control at least one of a television and a media presentation comprising the steps of:

receiving a television signal including first television programming from a remote source and communicating said television signal and said first television programming to a storage device, said first television programming including audio;

receiving processor instructions ~~which are capable of~~ for instructing [a] said computer to present, with said first television programming at at least one output device, user specific information to at least one of complete and supplement said first television programming by generating said user specific information, said user specific information included in at least one of a plurality of graphic overlays, each of said plurality of graphic overlays containing content related to said first television programming and sequentially provided to said output device in a predetermined order after said output device displays at least a portion of said first television programming and by causing said at least one of said plurality of graphic overlays to be displayed at said output device, said plurality of graphic overlays displayed simultaneously on said output device with one of said plurality of graphic overlays on top of another of said plurality of graphic overlays;

receiving a control instruction from a local input prior to receiving said first television programming and said processor instructions;

storing said control instruction;

automatically selecting at least one of: (1) at least one first time at which to communicate said processor instructions [;] and

(2) at least one first location to which to communicate said processor instructions according to said control instruction;

communicating said processor instructions to said storage device based on said

step of automatically selecting; and

storing said television signal, said first television programming, and said processor instructions at said storage device concurrently according to said control instruction; [.]

automatically transmitting said television signal and said processor instructions from said storage device to said computer at said user station.

34 - 37. (Cancelled)

38. (Currently amended) A method of embedding processor instructions to control a presentation comprising the steps of:

receiving from a remote source a television program that includes video information, said video information including at least three video images to be outputted at at least one output device at a subscriber station in a predetermined sequence;

receiving said processor instructions and at least one control instruction, said processor instructions ~~capable of~~ for instructing a subscriber station apparatus to at ~~least one of~~ process and output subscriber specific information pertaining to said television program, said at least one control instruction ~~capable of~~ for causing said subscriber station apparatus to operate under control of said processor instructions;

commencing communication of said television program to a storage device; embedding said processor instructions and said at least one control instruction in a signal including said television program while said signal and said television program are being communicated; and

storing said signal including said television program, said embedded processor instructions, and said embedded at least one control instruction in said storage device[.]

i

automatically transmitting said television program, said processor instructions from said storage device to said subscriber station apparatus for processing according to said at least one control instruction;

generating, using said subscriber station apparatus, a plurality of generated graphic overlays in accordance to said processor instructions;

after displaying said television program, sequentially providing said plurality of generated graphic overlays to said at least one output device in a predetermined order according to said processor instructions, wherein each of said plurality of generated graphic overlays contains content related to said television program;

displaying said plurality of generated graphic overlays simultaneously on said at least one output device, said step of displaying includes displaying one generated graphic overlay on top of another generated graphic overlay;

wherein said plurality of generated graphic overlays including at least one generated graphic overlay containing said subscriber specific information pertaining said television program; and

after displaying at least one of said plurality of generated graphic overlays, generating at said remote source, a signal to control said subscriber station apparatus to display said at least one generated graphic overlay containing said subscriber specification information.

39 - 51. (Canceled)

52. (Previously Presented) The method of claim 33 wherein said storage device includes at least one of a tape and a disk, said method further comprising the steps of:  
communicating said television signal, said first television programming, and said processor instructions to said at least one of a tape and a disk; and  
storing said television signal, said first television programming, and said processor instructions at said at least one of a tape and a disk concurrently.

53 - 61. (Canceled)

62. (Currently amended) The method of claim 33, wherein (i) at least a first of said processor instructions is capable of instructing said computer to generate information to



complete said first television programming and (ii) at least a second of said processor instructions is capable of outputting from said computer ~~a portion of said information to at least one of complete and supplement said first television programming~~ said at least one of said plurality of graphic overlays,

said method further comprising the steps of:

selecting at least one of:

- (1) a second time at which to communicate said processor instructions, and
  - (2) a second location to which to communicate said processor instructions; and
- communicating one of (i) said at least said first of said processor instructions and (ii) said at least said second of said processor instructions to said storage device based on said step of selecting at least one of said second time and said second location.

63 - 66. (Canceled)

67. (Currently Amended) The method of claim 38, wherein said storage device includes at least one of a tape and a disk, said method further comprising the steps of:

communicating [a] said television program, said video information, and said processor instructions to said at least one of a tape and a disk; and

storing said television program, said video information, and processor instructions, and said at least one control instruction, at said at least one of a tape and a disk concurrently.

68. (Currently Amended) The method of claim 38, further comprising the step of:

receiving at least one control signal which operates to output said television program, said video information, said processor instructions, and said at least one control instruction from said storage device.

69 - 76. (Cancelled)

77. (Previously Presented) The method of claim 38, wherein (i) at least a first of said processor instructions is capable of instructing said subscriber station apparatus to generate information to complete said video information and (ii) at least a second of said processor instructions is capable of outputting from said subscriber station apparatus a portion of said information to complete said video information, said method further comprising the steps of:

selecting at least one of:

- (1) at least one time at which to communicate said processor instructions; and
- 2) at least one location to which to communicate said processor instructions;

and

embedding at least one of said at least a first of said processor instructions and said at least a second of said processor instructions in said signal based on said step of selecting at least one of said at least one time and said at least one location.

78 - 95. (Cancelled)

96. (Currently Amended) A method of processing signals to control a multimedia presentation comprising the steps of:

receiving, from a remote source, a television signal including television programming and communicating said television signal and said television programming to at least one storage device, said television programming comprising audio and a plurality of video images to be displayed in at least one predetermined sequence at an output device, said at least one predetermined sequence including full motion video;

receiving at least one first instruction signal ~~which is capable of~~ for instructing a computer at a receiver station to conduct a procedure of at least one of inputting and responding to a subscriber reaction to said television programming, said procedure including adjusting said receiver station to receive an information transmission including supplemental information to said television programming and outputting said supplemental information;

selecting ~~at least one of (1)~~ at least one time at which to communicate said at least one first instruction signal [;] and

~~(2)~~ at least one first location to which to communicate said at least one first instruction signal based on information received from a local input and stored prior to receiving said television programming and said at least one first instruction signal;

communicating said at least one first instruction signal ~~at least one of (i)~~ at said at least one selected time ~~and (ii)~~ to said selected at least one first location, based on said step of selecting; and

storing said television signal, said television programming, and said at least one first instruction signal at said at least one storage device concurrently; and [.]

automatically transmitting said television signal, said television programming, and said at least one first instruction signal from said storage device to said computer;

generating at said computer, in response to receiving said at least one first instruction signal from said storage device, plurality of graphic overlays for displaying said supplemental information at said output device, each of said plurality of graphic overlays containing content related to said television programming and at least one of said plurality of graphic overlays containing user specific information; and

displaying said plurality of graphic overlays after displaying said television programming on a television screen of said output device by displaying each of said plurality of graphic overlays on said television screen in a predetermined order, and displaying said plurality of graphic overlays simultaneously with one of said plurality of graphic overlays on top of another of said plurality of graphic overlays.

97. (Currently amended) The method of claim 96, further comprising at least one of the steps of:

embedding said first instruction signal in said television signal;

embedding at least one of a first code and a first datum in said television programming that enables said computer to locate at least one of a second code and a second datum;

communicating a program unit identification code to said storage device and storing said program unit identification code at a storage location associated with said television programming;

communicating to and storing at said storage device information to evidence at least one of an availability, use, and usage of at least one of said television programming, said first instruction signal, and executable code at ~~a subscriber~~ said receiver station;

storing at said storage device a second instruction signal which is effective at a ~~subscriber~~ said receiver station to generate output information content to be associated with said television programming;

storing at said storage device a second instruction signal which is effective at a ~~subscriber~~ said receiver station to display at least one of a combined and a sequential presentation of said television programming and at least one subscriber specific datum;

storing at said storage device a second instruction signal which is capable of enabling ~~a subscriber~~ said receiver station to respond to a subscriber reaction inputted by at least one of said computer and a processor;

storing at said storage device a second instruction signal which is capable of enabling ~~a subscriber~~ said receiver station to communicate to a remote station a query in respect of information at least one of (i) to be associated with said television programming and (ii) to enable display of said television programming;

storing at said storage device a second instruction signal which is effective to control ~~a subscriber~~ said receiver station to receive information to at least one of complete and supplement said television programming;

storing at said storage device a second instruction signal which is effective at a subscriber station to process a digital television signal; and

storing at said storage device said at least one of ~~said a~~ a first code and ~~said a~~ a first datum to serve as a basis for enabling at least one of (i) ~~an~~ said output device to display at least a portion of said television programming and said computer to process ~~said~~ executable code.

98. (Currently Amended) The method of claim 96, ~~wherein said selected at least one first location is in said television signal, said method~~ further comprising the step of:

storing at said storage device concurrently with said television programming and said first instruction signal information that evidences at least one from the group consisting of:

- (1) a title of a television program;
- (2) a use of programming;
- (3) a transmission station;
- (4) a receiver station;
- (5) a network;
- (6) a broadcast station;
- (7) a channel on a cable system;
- (8) a time of transmission;
- (9) an identification of an instruction signal;
- (10) at least one of a source and a supplier of data;
- (11) at least one of a distributor and an advertisement; and
- (12) an indication of a payment obligation.

99. (Currently amended) The method of claim 96, wherein said first instruction signal is embedded in said television signal, said method further comprising the steps of:

selecting at least one datum from the group consisting of:

- (1) a datum that identifies computer software in said television signal;
- (2) a datum that designates an addressed apparatus;
- (3) a datum that is part of a decryption code;
- (4) a datum to be compared to a communication schedule; and

embedding said selected at least one datum in said television signal; and

storing said selected at least one datum at said storage device concurrently with said television programming and said first instruction signal.

100. (Previously Presented) The method of claim 96, wherein said first instruction signal includes code, said method further comprising the steps of:

selecting at least one second instruction signal, said at least one second instruction signal including at least one from the group consisting of:

- (1) a switch control signal;
- (2) a timing control signal;
- (3) a locating control signal;
- (4) an instruct-to-contact signal that designates a remote receiver station;
- (5) an instruct-to-transfer signal that designates one of broadcast and cablecast programming;
- (6) an instruct-to-delay signal that designates one of broadcast or cablecast programming;
- (7) at least one of an instruct-to-decrypt and an instruct-to-interrupt signal that designates programming and a way to at least one of decrypt and interrupt;
- (8) at least one of an instruct-to-enable and an instruct-to-disable signal that designates an apparatus;
- (9) an instruction-to-record signal that designates at least one of a broadcast and a cablecast program;
- (10) a control signal that controls a multimedia presentation;
- (11) an instruction signal that governs at least one of a broadcast and a cablecast receiver station environment;
- (12) an instruct-to-power-on signal that designates a receiver;
- (13) an instruct-to-tune signal that designates at least one of a receiver and a frequency;
- (14) an instruct-to-coordinate signal that designates at least two apparatus;
- (15) an instruct-to-compare signal that designates at least one of a news transmission and a computer input;
- (16) an identifier signal that causes a computer to instruct a plurality of tuners each to tune to at least one of a broadcast and a cablecast transmission;

(17) an instruct-to-coordinate signal that designates at least two portions of information and at least one of: (1) an output time and (2) an output place;

(18) an instruct-to-generate signal that designates at least one output datum;

(19) an instruct-to-transmit signal that designates at least one computer output;

(20) an instruct-to-overlay signal that designates at least one television image;

(21) an instruct-that-if signal that designates a function to perform if a predetermined condition exists;

(22) an instruct-to-enable-and-deliver signal that designates information that at least one of completes and supplements a television program;

(23) an instruct-to-transmit signal that designates a computer peripheral device;

(24) a code signal that designates at least one datum to at least one of remove and embed;

(25) a signal addressed to a receiver station apparatus;

(26) an instruct-to-store signal that designates at least a portion of a program to be at least one of broadcast and cablecast;

(27) an instruct-to-transmit signal that designates at least a portion of a program to be at least one of broadcast and cablecast;

embedding said selected at least one second instruction signal in said television signal; and

storing said selected at least one second instruction signal at said at least one storage device concurrently with said television programming and said first instruction signal.

101 - 118. (Cancelled)

119. (Previously presented) The method of claim 96, wherein said selected at least one first location includes a memory location at said at least one storage device and said step of communicating said at least one first instruction signal further comprises:

communicating at least a portion of said at least one first instruction signal to said memory location.

120. (Previously presented) The method of claim 119, wherein said at least one storage device includes at least one of a disk and a tape and said memory location is included within said at least one of said disk and said tape.

121. (Previously presented) The method of claim 120, wherein said television signal, said television programming, and said at least one first instruction signal are stored concurrently on one of said at least one of said tape and said disk.

122. (Previously presented) The method of claim 121, wherein only some of an audible portion of said television programming prompts for input of said subscriber reaction, said method further comprising the steps of:

- selecting at least one second location to which to communicate said at least said first instruction signal, said at least one second location being within said television signal but outside said audible portion; and

- embedding said at least one first instruction signal in said at least one second location.

123. (Previously presented) The method of claim 122, wherein said at least said first instruction signal is embedded in said at least one second location before said television signal is stored, wherein said television programming, and said at least said first instruction signal are stored concurrently on said one of said at least one of said tape and said disk.

124. (Previously presented) The method of claim 121, further comprising the steps of:

- selecting at least one second location to which to communicate said at least one first instruction signal, said at least one second location being within said television signal but outside a portion including said video images to be displayed; and



embedding said at least one first instruction signal in said at least one second location.

125. (Previously presented) The method of claim 124, wherein said at least one first instruction signal is embedded in said at least one second location before said television signal is stored, wherein said television programming and said at least one first instruction signal are stored concurrently on one of said at least one of said tape and said disk.

126. (Previously presented) The method of claim 96, wherein said selected at least one time is before said television signal is stored, wherein said television programming and said at least one first instruction signal are stored concurrently at said at least one storage device.

127. (Currently Amended) The method of claim 126, comprising the steps of: selecting a second location to which to communicate said at least one first instruction signal, said at ~~least one~~ second location being within said television signal but outside an audible portion; and

embedding said at least one first instruction signal in said ~~at least one~~ second location.

128. (Currently Amended) The method of claim 127, wherein said at least one first instruction signal is embedded in said ~~at least one~~ second location at said selected at least one time.

129. (Previously presented) The method of claim 126, further comprising the step of: selecting at least one second location to which to communicate said at least one first instruction signal, said at least one second location being within said television signal but outside a portion including said video images to be displayed; and

embedding said at least one first instruction signal in said selected at least one first location.

130. (Currently Amended) The method of claim 129, wherein said at least one first instruction signal is embedded in said selected at least one first location at said at least one time.

131. (Previously presented) The method of claim 96, wherein said selected at least one first location includes a second location in said television signal and said step of communicating said at least one first instruction signal further comprises the step of: embedding at least a portion of said at least one first instruction signal in said second location in said television signal.

### ***Allowable Subject Matter***

3. Claims 3-4,8,21-26,33,38,52,62,67-68,77,96-100,119-131 are allowed.
4. The following is an examiner's statement of reasons for allowance:

Regarding claims 3-4,8,21-26,33,38,52,62,67-68,77,96-100,119-131, the prior art of record fails to disclose or fairly suggest method and apparatus for processing signal to automatically control a presentation as variously claimed including storing information received from a local input, storing television, first instruct signal, second instruct signal based on the stored information, automatically selecting and transmitting stored first instruct signal and the transmission to a computer at remote user station on channel and time based on the information, wherein the computer, in response to receiving the first instruct signal from the storage device, automatically generates a plurality of graphic overlays, each of the plurality of graphic overlays containing content related to said video and at least one of the plurality of graphic overlays containing user specific

information, the plurality of graphic overlays for display after the video at an output device by providing each of the plurality of graphic overlays to the output device in a predetermined order and by displaying the plurality of graphic overlays simultaneously with one of the plurality of graphic overlays on top of another of the plurality of graphic overlays.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON P. HUYNH whose telephone number is (571)272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son P Huynh/  
Primary Examiner, Art Unit 2424

April 27, 2010

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,836,480  
APPLICATION NO.: 08/474,146  
ISSUE DATE : November 16, 2010  
INVENTOR(S) : John C. Harvey et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At claim 10, column 288, line 35, insert --at-- so that line 35 reads "at at least one output device, user specific information to at"

At claim 13, column 289, line 31, insert --at-- so that line 31 reads "including at least three video images to be outputted at at"

At claim 17, column 290, lines 54-55, delete "which is capable of"

At claim 17, column 290, line 58, replace "adiusting" with --adjusting--

### MAILING ADDRESS OF SENDER (Please do not use customer number below):

THOMAS J. SCOTT, ESQ  
GOODWIN PROCTER LLP  
901 NEW YORK AVE. NW, WASHINGTON, DC 20001

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.